

Congress of the United States
Washington, DC 20510

July 6, 2016

The Honorable Monica C. Regalbuto
Assistant Secretary for Environmental Management
Department of Energy
1000 Independence Ave SW
Washington, DC 20585-0113

Dear Dr. Regalbuto:

As the Office of Environmental Management works to finalize the request for proposals for the Los Alamos Legacy Cleanup Contract (DE-SOL-0008109), we write to urge you to consider incorporating several important changes to help maximize opportunities for local businesses and support the future economic development of northern New Mexico.

First, we believe the final RFP should specify that at least 30% of the contract's annual funding be set aside for small businesses subcontracts. Northern New Mexico communities depend heavily on LANL for employment and regional economic development through the many subcontracts awarded to local companies. These local subcontractors currently provide critical support to EM's ongoing cleanup efforts in a broad variety of areas. Subcontracting with local businesses also helps sustain an important technical workforce pool in northern New Mexico. Before the onset of the 3706 transuranic waste removal campaign nearly all of the corrective actions work had been subcontracted by LANL to small businesses. We believe the nature of much of the required cleanup work, with appropriate contract flexibility for higher risk cleanup jobs, is well suited for small business subcontracting and urge you to specify a minimum set aside of 30% of the contract.

We are pleased the draft RFP incorporates major portions of the Regional Purchasing Program from EM's current bridge contract. In particular, the draft RFP requires the contractor to maximize procurement opportunities for northern New Mexico businesses and provides a 5% price preference. We believe continuing the current Regional Purchasing Program in the final RFP will help build and sustain a strong supplier base in northern New Mexico to support all EM-funded cleanup efforts. However, we are concerned the draft RFP did not incorporate the requirement in the existing Regional Purchasing Program to flow-through community support activities to all major subcontractors. Though the draft requires the contractor to encourage all subcontractors to participate in community support activities, we believe the final RFP should continue to require the contractor to include the submittal and evaluation of "Subcontractor Regional and Community Development Plans" as part of any solicitation for subcontracts valued at \$5 million and above.

We also appreciate that the draft RFP continues to require the contractor to submit an annual Community Commitment plan. We strongly believe the contractor should be required to be engaged and a constructive partner to the communities in northern New Mexico, the eight northern pueblos, and the citizens of the State of New Mexico. The ability of the contractor to be an active member and contributor to the community will be critical to the successful completion of the required cleanup work and to the sustainable economic use of the site. Because of strong public interest in the legacy cleanup contract, we ask that EM include community engagement as an evaluation criterion in the final RFP.

Finally, we are pleased the draft RFP includes appropriate provisions to help protect the jobs of the existing workforce, including right of first refusal, hiring preference and protection of pay, benefits and pensions.

The cleanup activities to be managed by the new contractor will play a critical role in supporting the economy and future development of northern New Mexico. We believe it is essential that the RFP require that local businesses and experienced workers continue to be fully involved in the cleanup effort and that the contractor develops a strong and meaningful partnership with the community. We appreciate your careful consideration to each of our specific requests.

Sincerely,



TOM UDALL
United States Senator



MARTIN HEINRICH
United States Senator



BEN RAY LUJÁN
Member of Congress